PATENT
Docket No. 546322000302

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LILIA OLSEN

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Michael Wayne GRAHAM and Robert Norman RICE

Serial No.: Not Yet Assigned

Filing Date: Concurrently Herewith

For: SYNTHETIC GENES AND GENETIC CONSTRUCTS

Examiner: Not Yet Assigned

Group Art Unit: Not Yet Assigned

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents marked with an asterisk (*) were previously submitted in Information Disclosure Statements and/or Office Actions, directed to the related applications Serial Number 10/346,853 filed January 17, 2003, Serial Number 09/997,905 filed November 30, 2001, Serial Number 09/646,807 filed December 5, 2000, and Serial Number 09/100,812 filed June 19, 1998 (now Letters Patent No. 6,573,099 issued June 3, 2003), and, accordingly, copies are not included

herewith. This protocol conforms with 37 C.F.R. §1.98(d) and M.P.E.P. 609(A)(2). The Examiner is requested to make these documents of record in the application.

This Information Disclosure Statement is submitted:

☒ **With the application; accordingly, no fee or separate requirements are required.**

☐ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.

☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.

- ☐ A fee is required. A check in the amount of * is enclosed.
- ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
- ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly; no fee is believed to be due.

☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.

- ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a check in the amount of * is enclosed.
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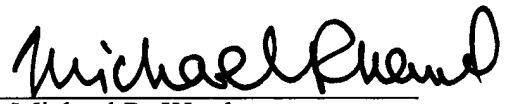
Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing **546322000302**. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: January 15, 2004

Respectfully submitted,

By: 

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U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	7/23/1991	* 5,034,323	Jorgensen			
	2.	7/27/1993	* 5,231,020	Jorgensen			
	3.	2/1/1994	* 5,283,184	Jorgensen			
	4.	12/10/1996	* 5,583,021	Dougherty			
	5.	11/11/1997	* 5,686,649	Chua et al.			
	6.	2/3/1998	* 5,714,323	Ohshima et al.			
	7.	8/25/1998	* 5,798,265	Springer et al.			
	8.	1/14/2003	* 6,506,559	Fire et al.			
	9.	7/4/2002	* 2002/0086356 A1	Tuschl et al.			
	10.	8/22/2002	* 2002/0114784 A1	Li et al.			
	11.	2/6/2003	* 2003/0027783 A1	Zernicka-Goetz			

FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES	Translation NO
	12.	9/15/1993	* EP 0560156	EP				
	13.	10/21/1997	* EP 0242016	EP				
	14.	6/9/1999	* EP 0921195	EP				
	15.	8/7/2002	* EP 1229134	EP				
	16.	10/18/1990	* WO 90/11682	WIPO				
	17.	9/2/1993	* WO 93/17098	WIPO				
	18.	11/25/1993	* WO 93/23551	WIPO				
	19.	8/4/1994	* WO 94/17194	WIPO				
	20.	4/20/1995	* WO 95/10607	WIPO				
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	22.	1/23/1997	* WO 97/01952	WIPO				
	23.	8/20/1998	* WO 98/36083	WIPO				

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	24.	8/27/1998	* WO 98/37213	WIPO				
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	26.	11/26/1998	* WO 98/53083	WIPO				
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	104.	* Palauqui, J.C., et al. (1998), "Transgenes are dispensable for the RNA degradation step of cosuppression" Plant Biology 95: 9675-9680.
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